



## VT WETLANDS PROGRAM

# LOGGING ACTIVITIES AND WETLANDS

## Vermont Wetland Rules & the Silviculture Allowed Uses

Activity in a Class I or Class II wetland or its associated buffer is prohibited unless it is an allowed use under the Vermont Wetland Rules or authorized by a permit or order issued by the Secretary of the Vermont Agency of Natural Resources.

Silvicultural activities in wetlands are considered an 'Allowed Use' under the Vermont Wetland Rules (Section 6) as long as certain conditions are followed. This document is intended to provide guidance for anyone interested in operating within the silvicultural allowed use when logging within State jurisdictional wetland and buffer. Within this document are clear examples which are not to be considered all-inclusive. It is advised that you contact the Wetlands Office if you have any questions.

**Silvicultural Activities**, as defined in the Vermont Wetland Rules, means those activities associated with the sustained management of land for silvicultural purposes including the planting, harvesting and removal of trees.

As such, this Allowed Use *does not apply* to areas being cleared for reasons other than sustained silviculture (for example, clearing of lots for future development, or conversion to agriculture). For the complete version of the Vermont Wetland Rules, go to:

[www.watershedmanagement.vt.gov/wetlands.htm](http://www.watershedmanagement.vt.gov/wetlands.htm)

## Interpretation of Silviculture Allowed Use

Silviculture is an Allowed Use in Class II wetlands and wetland buffers, provided that:

- ♦ the configuration of the wetland's outlet or the flow of water into or out of the wetland is not altered;
- ♦ no draining, dredging, filling, or grading occurs;
- ♦ and activities comply with an approved plan when rare, threatened and endangered (RTE) species are present.

The provisions listed above are not required for the following situations:

### Jurisdictional Wetlands

The State protects wetlands which are:

- ♦ on the Vermont Significant Wetland Inventory (VSWI) [map](#)
- ♦ contiguous or connected to the VSWI mapped wetland
- ♦ 1/2 acre or larger in size
- ♦ adjacent to a stream, lake, pond, or river
- ♦ vernal pools (amphibian habitat)
- ♦ special and unique wetlands - i.e. bogs or fens

- ♦ where beaver dams need to be removed because they impact existing haul roads;
- ♦ where existing haul roads are expanded up to a one-time 20% increase in width in wetlands;
- ♦ where new haul roads are constructed in buffer zones;
- ♦ and when activities occur within deer wintering yards mapped by the Fish and Wildlife Department and within significant wetland and buffer, the activities comply with [silvicultural standards for deer wintering yards](#), established jointly by the Departments of Fish and Wildlife and Forest, Parks and Recreation.

Silvicultural activity within a Class I wetland is only an Allowed Use if the activity complies with a plan approved by the Commissioner of Forests, Parks, and Recreation. All Class I wetlands are mapped and can be viewed on the Vermont Wetlands Inventory Map available at: <http://anrmaps.vermont.gov/websites/WetlandProjects/default.html>.

The following activities, for example, are **not** considered an Allowed Use:

- ♦ Silvicultural activities in wetlands that result in excessive rutting which alters the hydrology of the wetland. These activities are considered dredging.
- ♦ Leaving an excessive amount of log corduroy or brush in skid trails, winter haul roads or log landings in wet-

lands, either under frozen or unfrozen conditions, such that it alters grade or hydrology, or inhibits re-vegetation. These activities are considered fill.

- ◆ Activities in the wetland or outside the wetland that result in sediment entering the wetland through erosion. These activities are considered fill or discharge.
- ◆ Bringing in earth fill, or adding earth fill through re-grading, in wetlands for new roads or skid trails without the appropriate wetland permits. These activities are considered fill or discharge.

## Acceptable Management Practices and Wetlands

Vermont's Acceptable Management Practices (AMPs) for Maintaining Water Quality on Logging Jobs are regulations intended to prevent discharges of sediment, petroleum products and woody debris (logging slash) from entering streams and other bodies of water. They are also designed to control soil erosion and to maintain natural water temperature. **They must be observed whenever operating in significant wetlands and their associated buffers.** Copies of the AMPs are available from the Department of Forests, Parks and Recreation and are available at: <http://fpr.vermont.gov/> or call (802) 828-1531 for a hard-copy.

## Skid Trails, Haul Roads, and Log Landings

- ◆ **Skid trails** through wetlands are an allowed use given there is no permanent dredging, draining, filling, ditching or grading. By definition, all skid trails are temporary in use and infrastructure. Therefore, all excessive brush (aka "fill") used for crossing a wetland must be removed upon completion of the logging activity.
- ◆ **Temporary winter haul roads** through wetlands must always use frozen-in snow pack for access. **Main skid trails** may be used as winter haul roads.
- ◆ Sections 6.02 (restoration) and 6.04 (beaver mitigation) of the Vermont Wetland Rules refer only to existing **haul roads**.
- ◆ In Section 6.03 of the Vermont Wetland Rules, the construction of new haul roads is an allowed use in the buffer but not the wetland.
- ◆ Construction of new haul roads or the upgrade of an existing skid trail to a haul road through a wetland requires a wetlands permit.
- ◆ Increasing the width of a silviculture haul road by 20%

is an allowed use for a *one time* improvement.

- ◆ **Log landings** should occur outside of wetlands. Only those frozen log landings that do not result in wetland fill may be located in wetlands. Logging debris and residues are considered fill. In order to remain in compliance, this may require the removal of slash and debris from the log landing before spring thaw.

## Best Practices to Comply with Wetland Silvicultural Allowed Use

### PLAN AHEAD:

Identify wetlands before the operation begins. Check for the presence of rare, threatened or endangered species or special community types to see if special approvals are required as per Section 6.05 of the Vermont Wetland Rules. Use the online [Vermont Wetlands Inventory Map](#).

Find the best route to avoid entering wetlands. In situations where crossings are necessary, find the alternative that will result in the least amount of impact to the wetland. Some ways to reduce impacting the wetland include:

- ◆ Crossing the wetland at the narrowest location.
- ◆ Using frozen conditions to access wet areas.

### DURING LOGGING:

Follow all AMPs to prevent sediment from entering wetlands. Use log corduroy, brush or other temporary methods such as wetland mats to prevent damaging rutting.

### IMMEDIATELY AFTER LOGGING:

- ◆ Remove brush, fill or other debris to grade in wetland crossings.
- ◆ Smooth out ruts at wetland crossings to prevent alterations in hydrology.



Other Federal and Town regulations may apply when logging within wetlands. Call (802) 872-2893 for U.S. Army Corps of Engineers information. See our website for more information: <http://www.watershedmanagement.vt.gov/wetlands.htm>

15 May 2015